

## REMARKS

As a preliminary matter, Applicant thanks the Examiner for the withdrawal of the previous grounds of rejection and the previous final Office Action.

Claims 22-23, 26, and 34-35 stand rejected under 35 U.S.C. 102(e) as being anticipated by Song et al. (U.S. 6,710,837). Applicant respectfully traverses the rejection because the Examiner has not established a *prima facie* case of anticipation against the present invention. The cited reference does not teach (or suggest) the first orientation control element of the present invention, which is featured in independent claim 22 as being provided on both of the first and second substrates. In an effort to expedite prosecution, the subject matter of claim 23 has been incorporated into independent claim 22 to simplify the outstanding patentability issues, and claim 23 has been canceled without prejudice.

The Examiner asserts that one or both of Song's linear protrusions 170 and linear apertures 270 are analogous to the first orientation control element of the present invention. This assertion, however, is erroneous. Song never teaches (or suggests) that either the protrusions 170 or the apertures 270 are provided on more than one substrate at a time. Every one of the drawings from the Song reference cited by the Examiner (Figs. 5, 8-9, 19-20) shows the protrusions 170 and the apertures 270 to each be formed on only one of the two respective substrates 10 or 20. Neither the protrusion 170 nor the aperture 270 is ever shown by Song to be formed on both substrates at the same time. For at least this reason, the rejection is deficient on its face, and should be withdrawn. Independent claim 22 of the

present invention clearly recites that the first orientation control element is provided on both substrates.

In the event that the Examiner meant to assert that Song's protrusions 170 and apertures 270 are *both* analogous to the first orientation control element of the present invention at the same time, Song would still not read upon the present invention. Such an assertion would be inappropriate, and not supported by the reference. In every embodiment shown by Song, the element 170 is always a linear protrusion, *extending away from* a substrate surface, and the element 270 is always an aperture, *carved into* the substrate or the layers on top of the substrate. Song never teaches that the two structures are equivalent, or that one may be merely substituted for the other. It would be entirely inappropriate, therefore, for the Examiner to assert that both of Song's elements 170 and 270 could read upon the single first orientation control element of the present invention at the same time. According to the Examiner's analogy, Song's elements 170 and 270 would only be analogous to a first and third orientation control element.

Nevertheless, the incorporation of the subject matter from claim 23 into independent claim 22 renders any and all of the possible interpretations by the Examiner. As now amended, the first and second orientation elements, and their respective configurations, are recited in independent claim 22 in such a way that the Examiner's interpretations of Song cannot read upon the claim. No two of the three cited elements in Song are shown to have all of the limitations of the two distinct orientation control elements of the present invention. The addition of a third element from Song will not make up for these deficiencies. As

discussed above, no one of the three cited elements is provided on both substrates, whereas the first orientation control element of the present invention is expressly recited to be provided on both substrates. Applicant submits that amended claim 22 is in condition for allowance over the rejections of record for at least these additional reasons as well.

Applicant further submits that the outstanding issues have already been substantively addressed, and traversed, by Applicant in response to the Examiner's several previous citations to U.S. Patent No. 6,657,695 to Song et al., and U.S. Patent No. 6,567,144 to Kim et al. Jang-Kun Song is a common inventor to both references, in addition to being the first named inventor of the reference that is the subject of the present rejection. All three references are assigned to the same assignee, and all three share many illustrations in common.


As previously discussed with respect to the other two references cited (the rejections relying upon these other references have been withdrawn by the Examiner), neither Song nor his co-inventors provide any affirmative teaching or suggestion that apertures and protrusions can simply be substituted for one another. Without such an affirmative teaching within the references themselves to do so, the Examiner's implicit assertion that he may cite to Song's apertures and protrusions interchangeably is inappropriate. Song clearly illustrates and describes both the protrusion 170 and the aperture 270 as being separate and distinct elements, and Song does not otherwise suggest that either may be substituted for the other. Accordingly, the rejection should further be withdrawn for at least these additional reasons.

For all of the foregoing reasons, Applicant submits that this Application, including claims 22, 26, and 34-35, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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